

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
8

9 ERNEST DEAN CARPENTER,

10 Petitioner,

11 vs.

12 D. W. NEVEN, et al.,

13 Respondents.
14

Case No. 2:11-CV-00867-PMP-(CWH)

ORDER

15 The court has considered petitioner's request for a stay in his declaration (#20), respondents'
16 opposition (#25), and petitioner's reply (#26). The court finds that good cause exists to stay this
17 action.

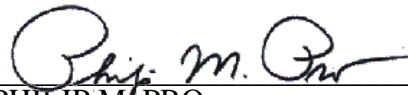
18 Petitioner has submitted a motion for additional time (#27) to return to state court. This
19 motion is moot because, in staying this action, the only time limit that the court imposes is upon
20 petitioner moving to reopen the action.

21 IT IS THEREFORE ORDERED that this action is **STAYED** pending exhaustion of the
22 unexhausted claims. Petitioner shall return to this court with a motion to reopen within sixty (60)
23 days of issuance of the remittitur by the Nevada Supreme Court at the conclusion of the state court
24 proceedings. Further, petitioner or respondents otherwise may move to reopen the matter and seek
25 any relief appropriate under the circumstances.

26 IT IS FURTHER ORDERED that the clerk of court shall administratively close this action
27 until such time as the court grants a motion to reopen the matter.
28

1 IT IS FURTHER ORDERED that petitioner's motion for additional time (#27) is **DENIED**
2 as moot.

3 DATED: July 27, 2012

4
5 
6 PHILIP M. PRO
7 United States District Judge
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28